

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 84th General Assembly
3 Regular Session, 2003
4

A Bill

Act 332 of 2003
HOUSE BILL 1514

5 By: Representatives Lendall, Haak
6
7

For An Act To Be Entitled

9 AN ACT TO REQUIRE AN UNOPPOSED CANDIDATE'S NAME
10 TO BE PRINTED ON THE BALLOT IN PRIMARY ELECTIONS;
11 AND FOR OTHER PURPOSES.
12

Subtitle

13 AN ACT TO REQUIRE AN UNOPPOSED
14 CANDIDATE'S NAME TO BE PRINTED ON THE
15 BALLOT IN PRIMARY ELECTIONS.
16
17
18

19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
20

21 SECTION 1. Arkansas Code § 7-7-304 is amended to read as follows:

22 7-7-304. Names to be included on ballots - Withdrawal - Unopposed
23 candidates - Position.

24 (a)(1) Whenever ~~two (2) or more persons qualify~~ a person qualifies for
25 a primary election of a political party as ~~candidates~~ a candidate for an
26 office or position, ~~and only one (1) is to be elected, their names~~ his or her
27 name shall be printed on the ballot at the preferential primary election.

28 (2) If, at the preferential primary election for a political
29 party, a candidate receives a majority of the votes cast for that office or
30 position, the person shall be declared the party nominee, and it shall not be
31 necessary for the candidate's name to appear on the ballot at the general
32 primary election.

33 (3) If no candidate receives a majority of the votes cast for an
34 office or position at the preferential primary election for a political
35 party, the names of the two (2) candidates of the political party who
36 received the highest number of votes for an office or position shall be



1 printed upon the ballots at the general primary election.

2 (b) If any candidate shall, either prior to the certification of the
 3 ballot for the preferential primary or subsequent to the preferential primary
 4 but prior to the certification of the ballot for the general primary
 5 election, notify the secretary of the state committee in the case of a United
 6 States, state, or district office, or the secretary of the county committee
 7 in the case of a county, city, or township office, in writing, signed by the
 8 candidate and acknowledged before an officer authorized by law to take
 9 acknowledgments, of his desire to withdraw as a candidate for the office or
 10 position, then the committee shall immediately notify the county board of
 11 election commissioners or the State Board of Election Commissioners, as the
 12 case may be, and the name of the person shall not be printed on the
 13 preferential primary ballot or the general primary ballot, as the case may
 14 be.

15 (c) When only one (1) candidate qualifies for a particular office or
 16 position, the office or position and the name of the unopposed candidate
 17 shall be ~~omitted from~~ printed on the political party's ballot in all primary
 18 elections, ~~and the candidate shall be certified as the nominee of the~~
 19 ~~political party for the particular office or position in the same manner as~~
 20 ~~if the office and candidate had been voted upon at the primary election.~~

21 (d) Where there are two (2) or more nominees to be selected for the
 22 same office, such as Associate Justice of the Supreme Court, State Senator,
 23 State Representative, justice of the peace, alderman, or for any other office
 24 or place, the proper committee shall require the candidates to designate in
 25 writing a particular position, i.e., Position Number 1, Position Number 2,
 26 Position Number 3, etc., at the time a party pledge is required to be filed
 27 with the secretary of the committee. An independent candidate shall designate
 28 his position prior to circulation of his petition. When a candidate has once
 29 filed and designated for a certain position, he shall not be permitted to
 30 thereafter change the position.

31 (e) The provisions of subsection (d) of this section with respect to
 32 filing for positions shall be equally applicable to candidates seeking
 33 election at all general and special elections of this state and to all school
 34 elections.

35
 36 APPROVED: 3/6/2003